

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

DENNIS HOGUE,

Plaintiff,

v.

ILLINOIS DEPARTMENT OF
CORRECTIONS, WARDEN JOHN VARGA,
WEXFORD HEALTH SOURCES, INC., DR.
MERRILL ZAHTZ, NURSE SUSAN TUELL,
and DOE NO. 1;

Defendants.

Case Number 19-cv-50151

Hon. Judge John Robert Blakey

Magistrate Judge Lisa A. Jensen

JOINT STATUS REPORT: DISCOVERY

Plaintiff and Defendants, through their undersigned counsel, submit the following Joint Status Report as required by the Court's minute order of July 28, 2020.

Progress of Discovery

No discovery has occurred to date.

Dr. Zahtz, Nurse Tuell, Wexford and John Varga object to pursuing any discovery at this time. They have filed and briefed a motion to dismiss that, if granted, would dispose of all claims against them. Their position is that any discovery issued to these defendants, at this point, would amount to wasteful litigation and put an unnecessary burden on them.

Plaintiff Dennis Hogue does not object to waiting until the pending motions are resolved before engaging in discovery between the parties.

However, in the interest of streamlining the discovery process, the parties believe it would be appropriate to issue subpoenas to third parties at this time. Therefore, the parties respectfully request that the Court stay discovery except for subpoenas to third parties for records.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on August 31, 2020, I electronically filed the foregoing document with the clerk of the court for Northern District of Illinois, using the electronic case filing system of the court. The electronic case filing system sent a “Notice of E-Filing” to the attorneys of record in this case.

/s/ David E. Jimenez-Ekman, Esq.

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